

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

FRANCESCA LISO,)	Case No. CV 24-7668 FMO (Ex)
)	
Plaintiff,)	
)	
v.)	
)	DISMISSAL OF ACTION
HUNTER WARFIELD, INC.)	
)	
Defendant.)	
)	

On July 8, 2024, pro se plaintiff Francesca Liso (“plaintiff”) filed the instant action in the Los Angeles County Superior Court against defendant Hunter Warfield, Inc. (“defendant”), asserting state law claims. (Dkt. 1, Notice of Removal (“NOR”) at ¶ 1); (Dkt. 1-1, Complaint). On September 9, 2024, defendant removed the action on diversity jurisdiction grounds pursuant to 28 U.S.C. §§ 1332 and 1441(b). (See Dkt. 1, NOR at ¶¶ 3-4). Since removal, the court has issued several notices and orders, (see Dkt. 4, 6, 9, 13, 17), including an order setting a scheduling conference. (See Dkt. 9, Court’s Order of September 16, 2024). Each notice and order was mailed to plaintiff at her address of record, and each was returned to the court undelivered. (See Dkt. 10, 11, 14, 15, 18). The handwriting on the envelopes state: (1) “Please return to Sender” (Dkt. 10); (2) “Please return to Sender” (Dkt. 11); (3) “NOT AT THIS ADDRESS. Please return to Sender” (Dkt. 14); (4) “PLEASE RETURN TO SENDER WRONG ADDRESS” (Dkt. 15); and (5) “RETURN TO SENDER NOT AT THIS ADDRESS.” (Dkt. 18).

It is well established that district courts have authority to dismiss actions for failure to prosecute or to comply with a court's orders. Fed. R. Civ. P. 41(b); Link v. Wabash Railroad Co.,

1 370 U.S. 626, 629-30, 82 S.Ct. 1386, 1388 (1962) (authority to dismiss for failure to prosecute
 2 necessary to avoid undue delay in disposing of cases and congestion in court calendars); Ferdik
 3 v. Bonzelet, 936 F.2d 1258, 1260 (9th Cir. 1992) (district court may dismiss action for failure to
 4 comply with any court order). As relevant here, the court may dismiss an action when a pro se
 5 plaintiff fails to keep the court informed of his or her current address. Rule 41-6 of the Local Civil
 6 Rules of this District provides:

7 A party proceeding pro se must keep the Court and all other parties
 8 informed of the party's current address as well as any telephone
 9 number and email address. If a Court order or other mail served on
 10 a pro se plaintiff at [her] address of record is returned by the Postal
 11 Service as undeliverable and the pro se party has not filed a notice of
 12 change of address within 14 days of the service date of the order or
 13 other Court document, the Court may dismiss the action with or
 14 without prejudice for failure to prosecute.

15 Here, plaintiff has failed to comply with Local Rule 41-6 by failing to notify the court of her
 16 current address. Well over 14 days have lapsed since the court's notices and orders were
 17 returned to the court with the handwritten notations directing them to be returned to sender and/or
 18 indicating that the address was incorrect. (See Dkt. 10, 11, 14, 15, 18). Indeed, the first returned
 19 document was received by the court on September 23, 2024, (Dkt. 10) – over four months ago,
 20 and the latest returned order was received by the court on November 12, 2024.¹ (Dkt. 18).

21 Based on the foregoing, IT IS ORDERED THAT the above-captioned case is **dismissed**
 22 **without prejudice**. Judgment shall be entered accordingly.

23 Dated this 31st day of January, 2025.

24
 25 /s/
 26 Fernando M. Olguin
 United States District Judge

27
 28 ¹ According to defendant, plaintiff has not responded to counsel's repeated attempts to
 communicate with her regarding this action. (See Dkt. 19, Defendant's Status Report).